# **EXHIBIT 1**

#### Marshall T. Kizner

From: Stacy L. Lipstein <slipstein@msbnj.com>

**Sent:** Monday, May 19, 2025 4:25 PM

To: Marshall T. Kizner

Cc: Joseph H. Lemkin; Josh Voss; Sari B. Placona; Joshua H. Raymond

**Subject:** [EXTERNAL] RE: Heller - Prestige Funds

**Attachments:** Letter to Buck Joffrey enclosing subpoena FINAL.pdf; Letter to Dave Zook enclosing

subpoena FINAL.pdf; Letter to Jerry Hostetter enclosing subpoena FINAL.pdf; Letter to

William Poole enclosing subpoena FINAL.pdf

Stacy L. Lipstein Legal Assistant to:

Sari B. Placona | Joshua H. Raymond McManimon, Scotland & Baumann, LLC

75 Livingston Avenue | 2nd Floor | Roseland, NJ 07068

Direct Dial: 973-721-5043 Email: SLipstein@MSBNJ.COM

Website

#### Connect with MS&B on LinkedIn | Twitter | Instagram

From: Sari B. Placona < SPlacona@MSBNJ.COM>

Sent: Monday, May 19, 2025 3:38 PM

To: Marshall T. Kizner < <a href="mkizner@stark-stark.com">mkizner@stark-stark.com</a>>

Cc: Stacy L. Lipstein <slipstein@msbnj.com>; Joshua H. Raymond <JRaymond@MSBNJ.COM>; Joseph H. Lemkin

<jlemkin@stark-stark.com>; Josh Voss <jvoss@saxtonstump.com>

Subject: RE: Heller - Prestige Funds

Josh

Please provide Marshall a copy of the final subpoenas.

Thanks.

Sari B. Placona | Attorney Bio

**Partner** 

McManimon, Scotland & Baumann, LLC

75 Livingston Avenue | 2nd Floor | Roseland, NJ 07068

Direct Dial: 973-721-5030 Email: <u>SPlacona@MSBNJ.COM</u>

Website

#### Connect with MS&B on LinkedIn | Twitter | Instagram

From: Marshall T. Kizner < mkizner@stark-stark.com>

Sent: Friday, May 16, 2025 8:38 AM

To: Sari B. Placona < SPlacona@MSBNJ.COM>

Cc: Stacy L. Lipstein <slipstein@msbnj.com>; Joshua H. Raymond <JRaymond@MSBNJ.COM>; Joseph H. Lemkin

<jlemkin@stark-stark.com>; Josh Voss <jvoss@saxtonstump.com>

Subject: Re: Heller - Prestige Funds

# Case 25-11354-JNP Doc 429-2 Filed 07/31/25 Entered 07/31/25 12:19:32 Desc Exhibit 1 Page 3 of 57

You could simply send me a copy and give me a chance to review and advise. Seems like a waste of money in the event we can accept service. Thanks,

#### Marshall T. Kizner, Esq.

Shareholder

t: 609.219.7449 | f: 609.895.7395

e: mkizner@stark-stark.com

Assistant: Cara Conlon, 609.895.7396

Stark & Stark PC

100 American Metro Boulevard, Hamilton, NJ 08619 (Office)

P.O. Box 5315, Princeton, NJ 08543 (Mailing)

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From: Sari B. Placona < <a href="mailto:SPlacona@MSBNJ.COM">SPlacona@MSBNJ.COM</a>>

Sent: Friday, May 16, 2025 8:35:58 AM

To: Marshall T. Kizner < mkizner@stark-stark.com>

Cc: Stacy L. Lipstein <slipstein@msbnj.com>; Joshua H. Raymond <JRaymond@MSBNJ.COM>; Joseph H. Lemkin

<ilemkin@stark-stark.com>; Josh Voss <jvoss@saxtonstump.com>

Subject: [EXTERNAL] RE: Heller - Prestige Funds

Thanks, I will have them served.

Sari B. Placona | Attorney Bio

**Partner** 

McManimon, Scotland & Baumann, LLC

75 Livingston Avenue | 2nd Floor | Roseland, NJ 07068

Direct Dial: 973-721-5030

Email: SPlacona@MSBNJ.COM

Website

Connect with MS&B on LinkedIn | Twitter | Instagram

**From:** Marshall T. Kizner < <a href="mkizner@stark-stark.com">mkizner@stark-stark.com</a>>

Sent: Friday, May 16, 2025 8:33 AM

To: Sari B. Placona < SPlacona@MSBNJ.COM>

Cc: Stacy L. Lipstein <<u>slipstein@msbnj.com</u>>; Joshua H. Raymond <<u>JRaymond@MSBNJ.COM</u>>; Joseph H. Lemkin

<ilemkin@stark-stark.com>; Josh Voss <ivoss@saxtonstump.com>

Subject: RE: Heller - Prestige Funds

Sari:

I would have to see the subpoenas before I can respond.

Thanks,

#### Case 25-11354-JNP Doc 429-2 Filed 07/31/25 Entered 07/31/25 12:19:32 Desc Exhibit 1 Page 4 of 57

#### Marshall T. Kizner, Esq.

Shareholder

t: 609.219.7449 | f: 609.895.7395

e: mkizner@stark-stark.com

Assistant: Cara Conlon, 609.895.7396

Stark & Stark PC

100 American Metro Boulevard, Hamilton, NJ 08619 (Office)

P.O. Box 5315, Princeton, NJ 08543 (Mailing)

Website | Blog | Offices | Facebook | LinkedIn | Instagram | YouTube





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From: Sari B. Placona < SPlacona@MSBNJ.COM>

Sent: Friday, May 16, 2025 8:31 AM

To: Marshall T. Kizner < <a href="mkizner@stark-stark.com">mkizner@stark-stark.com</a>>

Cc: Stacy L. Lipstein < <a href="mailto:slipstein@msbnj.com">slipstein@msbnj.com</a>>; Joshua H. Raymond < <a href="mailto:JRaymond@MSBNJ.COM">JRaymond@MSBNJ.COM</a>>

Subject: [EXTERNAL] Heller - Prestige Funds

#### Hi Marshall

I am sending out subpoenas today to Prestige Fund Managers. Will you accept service on behalf of your clients – William Poole, Dave Zook, Jerry Hostetter, and Buck Joffrey?

Please let me know.

Thank you.

Sari B. Placona | Attorney Bio

**Partner** 

McManimon, Scotland & Baumann, LLC

75 Livingston Avenue | 2nd Floor | Roseland, NJ 07068

Direct Dial: 973-721-5030

Email: SPlacona@MSBNJ.COM

Website

Connect with MS&B on LinkedIn | Twitter | Instagram

This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not use, copy, or disclose to anyone the message or any information contained in the message. If you have received the message in error, please advise the sender by reply e-mail or contact the sender at McManimon, Scotland & Baumann, LLC by phone at (973) 622-1800 and delete the message. Thank you very much.



75 : Mingston Avenue, Roseland, NJ 97068 (978) 622-1800

Sari B. Placona Direct Dial: (973) 721-5030 splacona@msbnj.com 35240-001

May 19, 2025

# Via Regular Mail and Certified Mail RRR

Buck Joffrey 3463 State Street, Suite 595 Santa Barbara, CA 93105

Re: Daryl Fred Heller

Chapter 11, Case No. 25-11354

Dear Mr. Joffrey:

This firm is counsel for Daryl Fred Heller, Chapter 11 debtor/debtor-in-possession and plaintiff in the above-captioned matter.

Enclosed for service upon you, please find a Subpoena in a Case Under the Bankruptcy Code Pursuant to Fed. R. Bankr. P. 2004 and D.N.J. LBR 2004-1.

Please be advised that the Subpoena requires your appearance at an examination under Rule 2004 on June 17, 2025 at 1:00 p.m. and requires you to produce documents on or before June 4, 2025 at 10:00 a.m. Please be guided accordingly.

Sincerely,

/s/ Sari B. Placona

Sari B. Placona

SBP/sll Enclosure Torn, 254 - Subpocos for Rute 2004 Examination (12/06)

# UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSKY

ात गर

DARYL FRED HELLER,

Debtor.

SUBPORNA IN A CASE UNDER

THE HANKRUPTCY CODE PURSUANT TO FED. R. BANKR, P. 2004 AND D.N.J.

LBR 2004-1

To: Buck Josfrey

3463 State Street, Strife 595 Sama Barbara, CA 93105

Case No.

25-11354

Chapter

11

 YOU ARE COMMANDED to appear and testify at an examination ratter Rule 2004, Federal Rules of Bankropley Procedure. at the place, date, and time specified below. A copy of the court order authorizing the examination is attached.

PY ACE OF TESTIMONY

DATEANDTIME

McManimon, Scotland & Baumann, LLC

75 Livingston Avenue, Stife 201 Roscland, New Jersey 07068

June 17, 2025 at 1:00 p.m.

YOU ARE COMMANDED to produce and pentil inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects).

See attached Schedule A.

PLACE

DATE AND TIME

McManimon, Scotland & Baumann, LLC

75 Livingston Avenue, Suite 201

Roscland, New Jersey 07068

Attn: Sari B. Placona, Esq.

June 4, 2025 at 10:00 am

LISSUING CONTICHE STENATURE AND TITLE

7s/ Sari B. Placona

May 19, 2025

ISSUING OFFICER'S NAME, AUDRESS, AND PHONE NUMBER

Sari B. Placona, Esq., counsel to Dary! I'red Heller, Debtor

McManimon, Scotland & Baumann, LLC

75 Livingston Avenue, Suite 201

Roseland, New Jersey 07068

(973) 622-1800 (Main) (973) 721-5030 (Direct) | splacona(umsbn).com

to the bankryptay page is gentiary are district other than the discreptly which the subproces is exceed, state the district under the mass number:

#### Case 25-11354-JNP Doc 429-2 Filed 07/31/25 Entered 07/31/25 12:19:32 Desc Exhibit 1 Page 7 of 57

		PROOF OF SERVICE
SERVED	DATE	PLACE
SERVED ON (PRINT	SAVT!	ALANNER OF SERVICE
SERVED BY (PRINT NAME)		IIIE
	-	DECT ARATION OF SERVER
) decicre o nd correct.	nder genelny of portury undo	the laws fulfuse Limited States (if America that the foregoing information contained in the Preshot Service is a
l destaren and sorrest. Executed on	nder genelty of portury unde	the laws of the Linted States (if A maries that the foregoing information contained or the Preofet Service is a SIGNATURE OF SERVER

Rule 45. Fed.R. Civ.F., Parts (c) & (d) mode applicable in bases under the Bankrupley Code by Rule 4016, Fod.R.Bankr.P.

#### (a) PRO DOCTION OF PERSONS SUBJECT TO SUBPOUNAS

- (1) A party or an approach to the issuance and service of a subposite shall rate reasonable stops in a your imposing undue burden or expense on a person subject to that subposite. The court on being for which the subposite was issued shall enforce this duty and impose upon the party of strongly in breach of this duty an appropriate salation, which may include, but its not limited to. Jost satisfacts and a reasonable attention's fee
- (2)(A) A person contrasted to produce and person and repying of designated books, papers documents or tangible things, or aspection of premises need not appear in person at the place of production or inspection unless communical to appear for deposition, bearing or trial.
- (B) Subject to paragraph (h)(1) of this rule, a generic commanded to produce and compile may, within 14 days offer service of the subposts of before the time specified for compilance (f such time is less that ) if days after service, serve upon the pury or alterney designated in the subposts written doportion to inspection or copying of any death of the designated materials or of the periods. If objection is made, the party serving the subposts and to be entitled to despot and copy to materials or inspect the premises despit pursuant to an order to commit hy which the subposts was issued. If objection has their made, the party serving the subposine may, upon notice to the person commanded to produce, move of one time for an order to compet production shall protect any person who is not a party or an officer of a party from significant expenses of this from the inspection and copying commanded.
  - (3)(A) On timely motion, the energity system a subposess was issued shall quash or modify the submitted if it.
    - (\*) faus to allow seasonable time for compliance:
  - (i) room its a person who is that a perty as an officer of a party to travel to a place more than 100 miles from the pisca where that person resides, is employed or regularly transacts has been person, except that, unbood to the provisions of plants (c)(4)(4)(6) of this rule, such a person may in order to entend that the child be commanded to travel from any at 40 place within the state to which the child at
    - (iii) requires discussors of privileged or other protected matter and no exception or waiver applies, or
    - ( v) subjects a pesson to undue burden.
  - (B) If a subnocus
    - (f) requires discussing of a hards sequence of nor confidential research, development, or commercial information, or
  - (ii) requires discussioners an innertained expert's opinion are information not describing specific events on neutronees in dispute and resulting from the expert's souly made not at the respect of any party; or
  - (iii) (equives a person who is an a party or an officer of a nexty of increasing an invested or resolutions than 100 miles in attend that the entry may, in protect a person subject in a street by the subposite in modify its subjects an in the party in whose outself the subposite is asset shows a substantial road for the featuring or indicate, that can be otherwise met without underlargeship and assets that the person of whom the subjects as substantial that is essentially companied. The same may under appearance of production only "point accurate conditions."
- (v) DUPLES IN RESPONDENCITO SCIEPOENA.
  - (1) A person responding to a supposes to produce together shall produce theories (i.e. are kept in thousand course of business or shall produce and label them to correspond with the estagonics in the demand.
  - (2) When information suggest to a subscena is withheld on a claim that it is privileged or subject to projection as it is present in matterials, for a same shall be made expressly and shall be supported by a covarption of the nature of the documents, communications, or things not produced that is sufficient to enable the armunding party to contest the obtains.

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#### UNAVAILABILITY OF DOCUMENTS

To the extent a document is sought herein and such document was but is no longer in your possession or subject to your control, or no longer in existence, state whether it (i) is missing or lost, (ii) has been destroyed, (iii) has been transferred, voluntarily or involuntarily to others, or (iv) has been otherwise disposed of. In each instance, explain the circumstances surrounding and authorization of such disposition thereof, including the date or approximate date thereof, the contents of said document, and the person who authorized the transfer, destruction or other disposition of said document.

# PRIVILEGE

Identify, by date, author, recipient, distribution list, and subject matter, each document which is responsive to a specific document request but which you are not producing based upon the assertion of a claim of privilege, attorney's work product, or other asserted justification for non-production. With respect to each document which is not being produced based upon an assertion of privilege, specifically identify the alleged privilege asserted for each document.

# DEFINITIONS

- A "Communications" shall mean any written or oral transmission of fact, information or opinion, including any utterance, notation or statement of any nature whatsoever and including, but not himited to, documents and correspondence as defined herein.
- B. "Concerning" means regarding, referring to, pertaining to, relating to, or in connection with.
  - C \*Debtor\* means Daryl Fred Heller.
- D. "Documents" shall mean all written, recorded, or graphic material, however produced or reproduced in the actual or constructive possession, custody or control of the Trusts, including documents accessible at the Trusts' request, and shall include, without limitation, the following: c-mails: the originals and all copies of all drafts of written or printed material, recorded audio or video tapes, computer data or information whether printed or recorded on disks or stored in any manner papers, books, manuals, records, contracts, notes, memoranda (including written memoranda of telephone conversations, other conversations, discussions, agreements, acts or activities), minutes, diaries, calendars, desk pads, appointment books, notebooks, bulletins, forms, pamphlets, notices, statements, cancelled checks, checks, check stubs, correspondence, data cards, computer printouts, photographs; drawings, letters, telegrams, telexes, cables, reports, studies, interoffice communications, charts, blue prints, plans, drawings, graphs, calculations, proposals, diagrams, specifications, brochures, sketches, and accounting and financial records whether prepared by the Trusts for their own use or for transmittal, or received by the Trusts and wherever located.

Unless otherwise specified, documents referred to herom shall be those documents related in prepared, issued or which any way deal with, the documents requested in this Request, including all portions, or pages of each document referred to and all attachments, enclosures, appendices and

supporting documentation, and including, without limitation, originals, copies (with or without notes or changes therein), drafts, working papers, routing slips, handwritten notes and similar materials

A document is decined in the actual or constructive possession, custody or control of the Trusts if it is in its physical custody or if it is in the physical custody of any person and the Trusts (a) own such document in whole or in part, (b) has a right by control, contract, statute, or otherwise, to use, inspect, examine or copy such document on any terms; (c) has an understanding, expressed or implied, that they may use, inspect, examine or copy such document on any terms, or (d) has, as a practical matter, been able to use, inspect, examine or copy such document when the Debtor sees fit to do so.

- "Lach" includes the word "every" and "every" includes the word "each." "Any" includes the word "all" and "all" includes the word "any," "And" includes the word "or" and "or" includes the word "and."
- "Prestige" means Prestige Fund A, LLC, Prestige Fund A IV, LLC, Prestige Fund A IV, LLC, Prestige Fund B, LLC, Prestige Fund B II, LLC, Prestige Fund B IV, LLC, Prestige Fund B VI, LLC, Prestige Fund B VII, LLC, Prestige Fund B BTM I. LLC, Prestige Fund A II, LLC, Prestige Fund A V, LLC, Prestige Fund A VII, LLC, Prestige Fund A VII, LLC, Prestige Fund D III, LLC, Prestige Fund D IV, LLC, Prestige Fund D IV, LLC, Prestige Fund D IV, LLC, Prestige Fund D V, LLC, Prestige Fund D V, LLC, Prestige Fund D V, LLC, Prestige Fund D BIM I, LLC, WF Velocity I, LLC, WF Velocity Fund IV, LLC, WF Velocity Fund VI, LLC and WF Velocity Fund VII, LLC, Prestige Investment Group, LLC, Prestige Funds Management, LLC, Prestige Funds Management, LLC, WF Velocity Funds Management, LLC, WF Velocity Funds Management, LLC, WF Velocity Funds Management, LLC and any partner, agent, officer, professional, representative employee or other person, and any other entity acting on its behalf.

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- Paramount\* means Paramount Management Group, LLC.
- H. "Glorious" means GCC MSO Holdings including but not limited to the following GCC NY Holdings, LLC, GCC MI Holdings, LLC, PERE, LLC Tycoon Holdings LLC, GCC MI Acquisitions, LLC, Tycoon I RE, LLC, Choice Labs, LLC, Frank Managers Services, LLC, Premier Drive Tycoon 1. LLC GCC Management, LLC, Tycoon 1 operations, LLC, I yield LLC, GCC MA Holding, LLC, TSC Investment, LLC, TSC Holdings Group, LLC, TSC RE LLC, TSC Operations, LLC, 48 Industrial LLC, Glorious II., LLC.
- I, "GCC Investment Holdings" means OCC Investment Holdings LLC and any and all of its members.
- J. "Heller Capital Group" means any and all entities and individuals you understand to be owned by or have an affiliation with Heller Capital Group.
- K. "Heller Investment Holdings" means any and all entities and individuals you understand to be owned by or have an affiliation with Heller Investment Holdings.
- L. "Project Catapult" means any and all entities and individuals you understand to have an affiliation with Project Catapult.
- M. "Fund Manager ATM Operators" means any and all entities and individuals hand Manager have chosen, hired, contracted or otherwise to operate Prestige ATMs it took over from Paramount including but limited to employees and contractor and any entities Fund Managers have used, contemplated to use, corresponded with or otherwise regarding operations of ATMs.
- "Private Investigators" means any and all entities and individuals Fund Manager, or others related to Fund Managers approval, have bired, contracted or otherwise to investigate Debtor, Paramount, Prestige, Heller Capital Group, Heller Investment Holding, GCC Investment Holdings, Olorious or Protect Catapult.

- "Fund Managers" means William Poole, Buck Joffrey, Jerry Hostetter, Dave Zool, O. and any and all Fund of Fund Managers and any and all syndicators of Buck Juffrey and Dave Zook and their entities for Prestige.
  - "Identify" means when used in reference to:
    - A natural person -- his or her full name and present or last known address.
  - A company, corporation, association, joint venture, sole proprietorship, form, partnership, or any other business or legal entity not a natural person - its full name now and at the time in question, its principal place of business now and at the time in questions, date of incorporation or jurisdictional status, description or type of entity now and at the time in question, date and place of formation, current jurisdictional status, and nature of business activities in which it is engaged or was engaged at the time in question.
  - A document its character (e.g., letter, memoranda, report, etc.), its title, date, author, addresses, all distributes, the number of pages, its subject matter, and identification of each person you have reason to believe may have knowledge of the contents thereof, its present location, the identification of its custodian, or if any such document was, but is no longer in existence or in your possession or subject to your control, the disposition made of it and the circumstances and date of such disposition.
    - An oral statement or communication;
      - The date and the place where uttered. (i)
      - (ii) The place where received.
      - The substance thereof. (iii)
      - The means of medium employed for transmission thereof. (iv)

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- (v) The identification of each person to whom such statement or communication was made, each person who was present when such statement or communication was made, and each person who was present when such statement was received.
- (vi) Any other thing a description with sufficient particularity that such thing may thereafter be specified and recognized as such.
- Q. "You" refers to Buck Joffrey, the individual to whom this Subpoena is directed. You shall also refer to any name which the party is known or has been known and each and every agent, representative or other persons acting on behalf of such party and/or any of its agents.

SCHEDULE "A"

- Any and all Documents submitted in support of any proof(s) of claim Prestige filed in the above-captioned bankruptcy case.
- Any and all Documents referenced in or relied upon in connection with any and all
  of Prestige's proof(s) of claim.
- Any and all Communications or correspondence concerning the amount, nature, or basis of Prestige's proof(s) of claim.
- Any and all Documents reflecting each claim or judgment held by Prestige against the Debtor.
- Any and all Documents reflecting the Debtor's legal or equitable interest in Paramount.
- 6. Any and all Documents corroborating Prestige's Motion for Order Confirming That It Is Not Stayed from Proceeding with Discovery and Civil Contempt Proceedings Pursuant to 11 U.S.C. § 362(B)(4) filed March 28, 2025, bearing ECF 158 ("Prestige's Stay Motion").
- Any and all Communications or correspondence regarding Prestige's Stay Motion, including communications with the Debtor and with Debtor's counsel.
- Any and all Documents evidencing Prestige domesticated any and all out-of-state.
   judgments in the State of New Jersey.
- Any and all UCC-1 financing statements, lien filings, or other security instruments relating to any asserted judgment liens by Prestige against the Debtor.
- 10. Any and all Documents showing the current balance the Debtor owes Prestige under such judgment(s), including any payment history, interest calculations, and ledger summaries.

# Case 25-11354-JNP Doc 429-2 Filed 07/31/25 Entered 07/31/25 12:19:32 Desc Exhibit 1 Page 15 of 57

- Debtor, including demand letters, notices, or legal pleadings concerning Prestige Fund A, LLC et al. v. Paramount Management Group, LLC, Case No. CI-24-06012 (the "PA Action").
- 12. Any and all Documents relating to and indicating what extent a recovery from the PA Action would impact the Debtor's estate, either directly or indirectly.
- 13. Any and all Communications with third parties—including courts, parties to the action, or opposing counsel—regarding the applicability of 11 U.S.C. § 362's automatic stay on the PA Action.
- 14. Any and all Documents evidencing or referencing any alter ego theory, veilpiercing allegations, or claims against the Debtor and Paramount are not distinct legal entities.
  - Any and all Documents indicating Debtor's relation to Paramount.
- 16. Any and all Documents relating to and arising out of Prestige's claims that the Debtor's actions constitute fraud in the inducement and fraudulent misrepresentations.
- 17. All emails, voicemails, text, written, and verbal Communications by and amongst all Tund managers that directly or indirectly references the Debtor.
- 18. All emails, voicemails, text, written, and verbal Communication by You or to You to/from anyone and everyone that directly or indirectly references the Debtor from January 1, 2021 through the present.
- 19. All emails, voicemails, text, written, and verbal Communications by You or to You for any person or entity that directly or indirectly references Paramount, Prestige, Heller Capital Group or Heller investment Holdings or any affiliated entity with the Debter from January 1, 2021 through the present.

- 20. All emails, voicemails, text, written, and verbal enumerication by You or to You for any person or entity that directly or indirectly references Glerious entities from January 1, 2021 through the present.
- 21. All emails, voicemails, text, written, and verhal communication by You or to You any person or entity that directly or indirectly references GCC Investment Holdings, LLC from January 1, 2021 through the present
- 22. All cmails, voicemails, text, written, and verbal communication by You or to You for any person or entity that directly or indirectly references Project Catapult, LLC from January 1 2021 through the present.
- 23. All emails, voicemails, text, written, and verbal communication by You or to You for any person or entity that directly or indirectly references Fund Manager ATM Operators from January 1, 2021 through the present
- 24. All emails, voicemails, text, written, and verbal communication by You or to You for any person or emity that directly or indirectly references Private Investigators from January 1, 2021 through the present
- 25. All smalls, voicemails, text, written, and verbal communication to by You or to You for any person that directly or indirectly references Barry Rynearson, Robert Brandt, David Prill, Wes Lutz, David Breschi, Allan Carr, Will Powers, Matt Eby, Jack Barry, Bret Van Gordon, AJ Bos, Paul Parriera from January 1, 2021 through the present.
- 26. Any and all Documents relating to and arising out of any and all communications which reference the Debtor, Heller Capital Group, Heller Investment Holdings, Glorious, Prestige, Paramount, GCC Investment Holdings, Project Catapult from January 1, 2021 through the present.

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- 27. Any and all Documents relating to and arising out of any communications with Barry Rynearson, Robert Brandt, David Prill, Wes Lutz, David Breschi, Allan Carr, Will Powers, Matt Eby, Jack Barry, Bret Van Gordon, AJ Bos, Paul Parriera from January 1, 2021 through the present.
- 28. Any and all Documents relating to and arising out of any communications with and amongst Fund Manager individually with each other or as a group of Fund Managers from January 1, 2021 through the present.
- 29. Any and all Documents relating to and arising out of any communications with Fund Manager ATM Operators and Private Investigators from January 1, 2021 through the present.
- 30. Any and all Documents, including bank statements, relating to and arising out of all compensation received from Prestige by You since 2020, by year, including, but not limited to expense reports, 1099s and K-1s and any form of compensation received from Prestige.
- Any and all Bank Statements, Credit Card Statements, Digital Cash Application Statements such as but not limited to ventro, paypal, cashapp in the name of You, or any entity owned by You from January 1, 2021 through the present.

Sari B. Placona Direct Dial: (973) 721-5030 splacona@msbnj.com 35240-001

May 19, 2025

Via Regular Mail and Certified Mail RRR

Dave Zook 5075 Lower Valley Road Atglen, PA 19310

Re: Daryl Fred Heller

Chapter 11, Case No. 25-11354

Dear Mr. Zook:

This firm is counsel for Daryl Fred Heller, Chapter 11 debtor/debtor-in-possession and plaintiff in the above-captioned matter.

Enclosed for service upon you, please find a Subpoena in a Case Under the Bankruptcy Code Pursuant to Fed. R. Bankr. P. 2004 and D.N.J. LBR 2004-1.

Please be advised that the Subpoena requires your appearance at an examination under Rule 2004 on June 17, 2025 at 3:00 p.m. and requires you to produce documents on or before June 4, 2025 at 10:00 a.m. Please be guided accordingly.

Sincerely,

/s/ Sari B. Placona

Sari B. Placona

SBP/sll Enclosure Torn 254 - Subpriena for Rate 2004 Examination (12/06)

# UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY

in re

DARYL FRED HELLER

Debtor.

SUBPOENA IN A CASE UNDER

THE BANKRUPTCY CODE PURSUANT TO FED. R. BANKR, P. 2004 AND D.N.J.

I.BR 2004-1

To- Dave Zook

5075 Lower Valley Road Atglen, PA 19310 Case No.

25-11354

Chapter

11

YOU ARE COMMANDED to appear and testify at an examination under Rule 2004. Federal Rules of Bankrupicy Procedure, at the place, date, and time specified below. A copy of the court order authorizing the examination is attached.

THACE OF TESTIMONY

DATE AND TIME

McManimon, Scotland & Baumann, LLC

75 Livingston Avenue, Suite 201

Roscland, New Jersey 07068

June 17, 2025 at 3:00 p.m.

June 4, 2025 at 10:00 am

▼OUARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified helpty (list documents or objects)

See attached Schedule A.

PLACE

DATE AND PEAR

McManimon: Scotland & Baumann, LLC

75 Livingston Avenue, Suite 201

Roscland, New Jersey 07068

Atm: Sari B. Plucona, Esq.

DATE

155(JNG ()FFICERISIONATURE AND PITTE

/s/ San B. Placona

May 19, 2025

ISSUING OFFICIAL NEW ATTERESS, AND PHONE MUMBER

Sari R. Placona, Esq., counsel to Daryl Fred Heller, Dehler

McManimon, Scotland & Baumann, LLC

75 Livingston Avenue, Suite 201

Roseland, New Jersey 07068

(973) 622-1800 (Main) (973) 721-5030 (Direct) | splacona@msbnj.com

<sup>\*17</sup> the number may used is peacing to a district other user the district in which he subjects is issued, state the district under the customether.

## Case 25-11354-JNP Doc 429-2 Filed 07/31/25 Entered 07/31/25 12:19:32 Desc Exhibit 1 Page 20 of 57

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Rolle 45. Fant R. (fir P., Parts (2) & (4) made applicable in cases under the Bankrupicy Code by Role 9016, Fed. R. Bankr H.

- (5) PROTECTION OF REASONS SCINECT TO SUBPORMAN.
- (1) A party of an automay responsible for the issuance and service of a subpostal small take metonable steps of avoid imposting union burden of expense on a person subject to that subpostal. The court on benefit of which the subposts was assed shall enforce this day and impost upon the early of strongly in literary of this day an appropriate standard, which may include, but is not limited to, that a notice and a reasonable alterney is fee.
- (2)(A) A person commanded to produce and permit inspection and capying of designated books, papers, documents to tangens things, or inspection of precises used not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial
- (B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, whom 14 days after securicall the subports or herbor the time specified for comprisince if such once it is along after service, some must the party or allowed designation in the subports written dispersion inspection in reporting of any or all of one designation permits to of the produces. If objection is made, the party serving the subports was feated. If objection has been inside to party serving the subports was feated. If objection has been inside, the party serving the subports was feated. If objection has been inside to party serving the subports may, upon notice in the person commanded to produce more strain under to compet the production. Such an order to compet the production. Such an order to compet the production. Such an order to compet the production.
  - (3)(A) On finitely medical, the country which a supposes was aspect shall quital at modify the subposes it in
    - (i) fails teallow reasonship runo for combinance:
  - (ii) outpines a person who is not a party or an effice; of a garty to travel to a place more than 100 traits from the place where drapperson trackets, is employed or regularly national business to person, except that, subject to the provisions of clause (c)(3)(6)(iii) at this rule, such a passing in order to ensure that have been unit to the commanded in craver from any such place within the state in ranch the state is held, or
    - (iii) requires dissunsaire of provileged or other projected matter and an exception or warver applies, or
    - (74) subjects a person to unque burden.
  - (III) If a subpoces
    - (f) requires disclosure of a gade secret or of securificantial research, development, or commercial information, or
  - (iii) requires disclusure of an intretonue expert suprime to information not describing specific secrets or occurrences in dispute and rescaling from the expert's surfly made not at the regulator of any party, or
  - fith requires a parton who is not a party or an officer of a purity to bego substantial expense to travel more than 100 miles in attend trail, the court may, to protect a person subject to part (five a object), a subject to person subject to person the subposina is assisted shows a subject to party in the testimany or material that sometiment of more whom the subject as addressed will be reasonable compared in the court may order appearance or position only upon specified conditions.
- (4) DUTIES IN RESPONDING TO SUUPOENAL
  - A person responding to a subplantage profined accuments shall be usually be despried to the usual course of business or shall organize and label them to correspond with the categories in the left one.
  - (2) When information subject to a subject is a subject to a subject to protection as trial programmer indicate the claim shall be made expressly and shall be supported by a describtion of the matter of the dominants, communications, or things not gradued that is sufficient to enable the dominating party to contest the claim.

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# UNAVAILABILITY OF DOCUMENTS

To the extent a document is sought herein and such document was but is no longer in your possession or subject to your control, or no longer in existence, state whether it (i) is missing or lost, (ii) has been destroyed, (iii) has been transferred, voluntarily or involuntarily to others, or (iv) has been otherwise disposed of. In each instance, explain the circumstances surrounding and authorization of such disposition thereof, including the date or approximate date thereof, the contents of said document, and the person who authorized the transfer, destruction or other disposition of said document.

#### PRIVILEGE

Identify, by date, author, recipient, distribution list, and subject matter, each document which is responsive to a specific document request but which you are not producing based upon the assertion of a claim of privilege, attorney's work product, or other asserted justification for non-production. With respect to each document which is not being produced based upon an assertion of privilege, specifically identify the alleged privilege asserted for each document.

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#### DEFINITIONS

- A. "Communications" shall mean any written or oral transmission of fact, information or opinion, including any utterance, notation or statement of any nature whatsoever and including, but not limited to, documents and correspondence as defined berein.
- 3. "Concerning" means regarding, referring to, pertaining to, relating to, or in connection with.
  - C. "Debtor" means Daryl Fred Heller.
- D: "Documents" shall mean all written, recorded, or graphic material, however produced or reproduced in the actual or constructive possession, custody or control of the Trusts, including documents accessible at the Trusts' request, and shall melude, without limitation, the following: e-mails; the originals and all copies of all drafts of written or printed material, recorded audio or video tapes, computer data or information whether printed or recorded on disks or stored in any manner, papers, books, manuals, records, contracts, notes, memoranda (including written memoranda of telephone conversations, other conversations; discussions, agreements, acts or activities), minutes, diames, calendars, desk pads, appointment books; notebooks, bulletins, forms, pamphilets, notices, statements, cancelled cheeks, checks, check stubs, correspondence, data cards, computer printouts, photographs, drawings, latters, folegrams, telexes, cables, reports, studies, interoffice communications, charts, blue prints, plans, drawings, graphs, calculations, proposals, diagrams, specifications, brochures, sketches, and accounting and financial records whether prepared by the Trusts for their own use or for transmittal, or received by the Trusts and wherever located.

Unless otherwise specified, documents referred to herein shall be those documents related to, prepared, issued or which any way deal with, the documents requested in this Request, including all portions, or pages of each document referred to and all attachments, enclosures, appendices and

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supporting documentation, and including, without limitation, originals, copies (with or without notes or changes therein), drafts, working papers, routing slips, handwritten notes and similar materials.

A document is deemed in the actual or constructive possession, custody or control of the Trusts (f it is in its physical custody or If it is in the physical custody of any person and the Trusts (a) own such document in whole or in part, (b) has a right by control, contract, statute, or otherwise, to use, inspect, examine or copy such document on any terms, (c) has an understanding, expressed or implied, that they may use, inspect, examine or copy such document on any terms, or (d) has, as a practical matter, been able to use, inspect, examine or copy such document when the Debtor sees fit to do so.

E, "Each" includes the word "every" and "every" includes the word "each." "Any" includes the word "all" and "all" includes the word "any." "And" includes the word "or" and "or" includes the word "and."

F. "Prestige" means Prestige Fund A, LLC, Prestige Fund A IV, LLC, Prestige Fund A IX, LLC, Prestige Fund B, LLC, Prestige Fund B III. LLC, Prestige Fund B IV, LLC, Prestige Fund B VII, LLC, Prestige Fund B VIII, LLC, Prestige Fund B BTM I, LLC, Prestige Fund A II, LLC, Prestige Fund A VIIIC, Prestige Fund A VIIIC, Prestige Fund A VIIIC, Prestige Fund D IV, LLC, Prestige Fund D VIIIC, Prestige Fund D VIIIC, Prestige Fund D BTM I, LLC, WIV Velocity I, IIIC, WF Velocity Fund VIII LLC, WF Velocity Fund VIIIIC, Prestige Funds Management, IIIC Prestige Funds Management, IIIC and any partner, agent, officer, professional, representative, employed or other person, and any other entity acting on its behalf.

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- C). "Paramount" means Paramount Management Group, LLC.
- II. "Glorious" means GCC MSO Holdings including but not limited to the following: GCC NY Holdings, LLC, GCC MI Holdings, LLC, PERE, LLC, Tycoon Holdings LLC, GCC MI Acquisitions, LLC, Tycoon I RE, LLC, Choice Labs, LLC, Frank Managers Services, LLC. Premier Drive Tycoon 1, LLC GCC Management, LLC, Tycoon 1 operations, LLC. Lyrical LLC, GCC MA Holding, LLC, TSC Investment, LLC, TSC Holdings Group, LLC, TSC RE LLC, TSC Operations, LLC, 48 Industrial LLC, Glorious IL, LLC.
- "GCC Investment Holdings" means GCC Investment Holdings LLC and any and all of its members.
- J. "Heller Capital Group" means any and all entitles and individuals you understand to be owned by or have an affiliation with Heller Capital Group.
- K "Heller Investment Holdings" means any and all entities and individuals you understand to be owned by or have an affiliation with Heller Investment Holdings.
- f., "Project Catapull" means any and all entities and individuals you understand to have an affiliation with Project Catapult.
- M. Fund Manager ATM Operators" means any and all entities and individuals hand Manager have chosen, lared, contracted or otherwise to operate Prestige ATMs it took over from Paramount including but limited to employees and contractor and any entities hand Managers have used, contemplated to use, corresponded with or otherwise regarding operations of ATMs.
- "Private Investigators" means any and all entities and individuals fund Manager, or others related to Fund Managers approval, have hired, contracted or otherwise to investigate Debtor, Paramount, Prestige, Heller Capital Group, Heller Investment Holding, GCC Investment Holdings. Glorious or Project Carapult.

- "Fund Managers" means William Poole, Buck Joffrey, Jerry Hosterter, Dave Zook, 1). and any and all Fund of Fund Managers and any and all syndicators of Buck Joffrey and Dave Zook and their entities for Prestige.
  - "Identify" means when used in reference to:
    - A natural person his or her full name and present or last known address.
  - A company, corporation, association, joint venture, solo proprietorship, form, partnership, or any other business or legal entity not a natural person -- its full name now and at the time in question, its principal place of business now and at the time in questions, date of incorporation or jurisdictional status, description or type of entity now and at the time in question, date and place of formation, current jurisdictional status, and nature of business activities in which it is engaged or was engaged at the time in question.
  - A document its character (e.g., letter, memoranda, report, etc.), its title, (11 date, author, addresses, all distributes, the number of pages, its subject matter, and identification of each person you have reason to believe may have knowledge of the contents thereof, its present location, the identification of its custodian, or if any such document was, but is no longer in existence or in your possession or subject to your control, the disposition made of it and the circumstances and date of such disposition:
    - An oral statement or communication: W
      - (i) The date and the place where attered.
      - The place where received. (11)
      - The substance thereof. (iii)
      - The means or medium employed for transmission thereof.

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- (v) The identification of each person to whom such statement or communication was made, each person who was present when such statement or communication was made, and each person who was present when such statement was received.
- (vi) Any other thing a description with sufficient particularity that such thing may thereafter be specified and recognized as such.
- Q. "You" refers to Dave Zook, the individual to whom this Subpoena is directed. You shall also refer to any name which the party is known or has been known and each and every agent, representative or other persons acting on behalf of such party and/or any of its agents.

## SCHEDULE "A"

- Any and all Documents submitted in support of any proof(s) of claim Prestige filed in the above-captioned bankruptcy case.
- Any and all Documents referenced in or relied upon in connection with any and all
  of Prestige's proof(s) of claim.
- Any and all Communications or correspondence concerning the amount, nature, or basis of Prestige's proof(s) of claim.
- 4. Any and all Documents reflecting each claim or judgment held by Prestige against the Debtor.
- Any and all Documents reflecting the Debtor's legal or equitable interest in Paramount.
- Any and all Documents corroborating Prestige's Motion for Order Confirming That It is Not Stayed from Proceeding with Discovery and Civil Contempt Proceedings Pursuant to 11 U.S.C. § 362(B)(4) filed March 28, 2025, hearing ECF 158 ("Prestige's Stay Motion").
- Any and all Communications or correspondence regarding Prestige's Stay Motion, including communications with the Debtor and with Debtor's counsel.
- Any and all Documents evidencing Prestige domesticated any and all out-of-state judgments in the State of New Jersey.
- Any and all UCC-1 financing statements, lien filings, or other security instruments
  relating to any asserted judgment liens by Prestige against the Debtor.
- 10. Any and all Documents showing the current balance the Debtor owes Prestige under such judgment(s), including any payment history, interest calculations, and ledger summaries,

- 1). Any and all Documents related to efforts to collect on any debts owed by the Debtor, including demand teners, notices, or logal pleadings concerning Prestige Fund A. I.L.C. at all v. Paramount Management Group, L.L.C. Case No. CI-24-06012 (the "PA Action").
- 12. Any and all Documents relating to and indicating what extent a recovery from the PA Action would impact the Debtor's estate, either directly or indirectly.
- 13. Any and all Communications with third parties—including courts, parties to the action, or opposing counsel—regarding the applicability of 11 U.S.C. § 362's automatic stay on the PA Action.
- 14. Any and all Documents evidencing or referencing any after ego theory, veilpiercing allegations, or claims against the Debtor and Paramount are not distinct legal entities.
  - 15. Any and all Documents indicating Dehtor's relation to Paramount.
- 16. Any and all Documents relating to and arising out of Prestige's claims that the Debtor's actions constitute fraud in the inducement and fraudulent misrepresentations.
- All emails, voicemails, text, written, and verbal Communications by and amongst all Fund managers that directly or indirectly references the Debtor.
- All emails, voicemails, text, written, and verbal Communication by You or to You to/from anyone and everyone that directly or indirectly references the Debtor from January 1, 2021 through the present.
- 19. All consils, voicemails, text, written, and verbal Communications by You or to You for any person or entity that directly or indirectly references Paramount, Prestige, Heller Capital Group or Heller Investment Holdings or any affiliated entity with the Debtor from January 1, 2021 through the present.

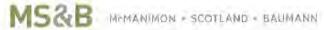
- 20. All emails, voicemails, text, written, and verbal communication by You or to You for any person or entity that directly or indirectly references Glorious entities from January 1, 2021 through the present.
- All emails, voicemails, text, written, and verbal communication by You or to You any person or entity that directly or indirectly references GCC Investment Holdings, LLC from January 1, 2021 through the present
- 22. All emails, voicemails, text, written, and verbal communication by You or to You for any person or entity that directly or indirectly references Project Catapult. LLC from Junuary 1, 2021 through the present:
- 23. All emails: voicemails, text, written, and verbal communication by You of to You for any person or entity that directly or indirectly references Fund Manager ATM Operators from January 1, 2021 through the present
- 24. All cmails, voicemails, text, written, and verbal communication by You or to You for any person or entity that directly or indirectly references Private Investigators from January 1, 2021 through the present
- 25. All emails, voicemails, text, written, and verbal communication to by You or to You for any person that directly or indirectly references Barry Rynearson, Robert Brandt, David Prill, Wes Lutz, David Breschi, Allan Carr, Will Powers, Man Eby, Jack Barry, Bret Van Gordon.

  AJ Bos, Paul Parriera from January 1, 2021 through the present.
- 26. Any and all Documents relating to and arising out of any and all communications which reference the Debtor, Holler Capital Group, Heller Investment Holdings, Glorious, Prestige, Paramount, GCC Investment Holdings, Project Catapult From January 1, 2021 through the present.

- Any and all Documents relating to and arising out of any communications with Barry Rynearson, Robert Brandt, David Prill. Wes Lutz, David Breschi, Allan Carr, Will Powers.

  Matt Eby, Jack Barry, Bret Van Gordon, All Bos. Paul Parriera from January 1, 2021 through the present.
- 28. Any and all Documents relating to and arising out of any communications with and amongst Fund Manager individually with each other or as a group of Fund Managers from January 1, 2021 through the present.
- 29. Any and all Documents relating to and arising out of any communications with 1 and Manager ATM Operators and Private Investigators from January 1, 2021 through the present.
- 30. Any and all Documents, including bank statements, relating to and arising out of all compensation received from Prestige by You since 2020, by year, including, but not limited to expense reports, 1099s and K-1s and any form of compensation received from Prestige.
- 31. Any and all Bank Statements, Credit Card Statements, Digital Cash Application Statements such as but not limited to venue, paypal, cashapp in the name of You, or any entity owned by You from January 1, 2021 through the present.
- 32. Any and all Decuments relating to and arising out of all compensation paid directly or indirectly from YOU, RAL or any affiliated entities of either, to Jeremy Roll and any of his affiliated entities and all communication and agreements with Jeremy Roll and any of his affiliated entities.
- 33. All emails, voicemails, text, written, and verbal communication by You or to You for any purson or entity that directly or indirectly references Jeremy Roll and his affiliated entities from January 1, 2021 through the present

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75 Livingston Avenue Roseland, NJ 07068 (973) 622-1800

Sari B. Placona Direct Dial: (973) 721-5030 splacona@msbnj.com 35240-001

May 19, 2025

Via Regular Mail and Certified Mail RRR

Jerry Hostetter 121 Eshelman Road Lancaster, PA 17601

Re: Daryl Fred Heller

Chapter 11, Case No. 25-11354

Dear Mr. Hostetter:

This firm is counsel for Daryl Fred Heller, Chapter 11 debtor/debtor-in-possession and plaintiff in the above-captioned matter.

Enclosed for service upon you, please find a Subpocna in a Case Under the Bankruptcy Code Pursuant to Fed. R. Bankr. P. 2004 and D.N.J. LBR 2004-1.

Please be advised that the Subpoena requires your appearance at an examination under Rule 2004 on June 17, 2025 at 4:00 p.m. and requires you to produce documents on or before June 4, 2025 at 10:00 a.m. Please be guided accordingly.

Sincerely,

/s/ Sari B. Placona

Sari B. Placona

SBP/sll Enclosure Form 254 - Subpoena for Rule 2004 Examination (12/06).

# UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY

DARYL FRED HELLER,

Debtor.

SUBPOENA IN A CASE UNDER THE BANKRUPICY CODE PURSUANT TO FED. R. BANKR, P. 2004 AND D.N.J. LHR 2004-1

Loc Jerry Hostetter 121 Eshelman Road Lancaster, PA 17601

25-11354 Case No.

Chapter H

A YOU ARE COMMANDED to appear and leadify at an examination under Rule 2004, Federal Rules of Banksupicy Procedure. in the place, date, and time specified below. A cupy of the court order authorizing the examination is attached.

PLACEON TESTIMONY

McManimon, Scotland & Baumann, LLC 75 Livingston Avenue, Suite 201

Roseland, New Jersey 07068

June 17, 2025 at 4:00 p.m.

Y()). ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (her documents or objects)

See attached Schedule A.

DATT O'ND TIME
June 4, 2025 nt 10:00 am
DATE
May 19, 2025

ISSUING OFFICERS NAME, ADDRESS, AND PHONE YUMBES.

Sari B. Placona. Esq., counsel to Daryl Fred Heller, Dobtor

McManimon, Scotland & Baumann, LLC

75 Livingston Avenue, Suite 201

Roscland, New Jersey 07068

(473) 622-1800 (Main) | (473) 721-5030 (Direct) | spiacona@msbnj.com

Ti the Kantemproy case is geneing in a district other than the district in which the subpoens it issued, state the district the case number.

Form 224 Subpriers for Rule 2004 Examination (13/06)

#### Case 25-11354-JNP Doc 429-2 Filed 07/31/25 Entered 07/31/25 12:19:32 Desc Exhibit 1 Page 33 of 57

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Rule 45, Fed.R.Civ P., Pars (c) & (d) made epotocoble in cases under the Bankmproy Code by Rule 99, 6, Fed.R.Baukr.P.

#### (6) PROTECTION OF BERSONS SUBJECT OF SUBPOENAS

- A party of an attention responsible for the issuance and source of a subposite shall take reasonable along to avoid imposing and se borden of expense on a person subject to that a subposite. The court on parall of which the subposite was asset shall entire this duty and impose upon the native it according to brevely it is not noticed to, lost carrings and a reasonable accorder to.
- (2)(A) A parson commanded at produce and permit inspection and convent of designated mode, papers, comments or uniqueston or inspection of promotes used not appear in person at the place of production or inspection, unless the manded to appear for deposition, bearing or risk.
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  - (F)(A). On timely among, the court by which a subpoint was issued shall course or muchly the subports if it
    - (I) fails to allow reasonable time for compliance;
  - (ii) requires a person who is not a party or an officer of a party to trave, to a physic more than 100 miles from the piece where that person resides, is employed or regalarry transacts business to person except that, subject to the provisions (if places (c)(4)(E)(iii) of this rule, such a person may in order to attend that be commanded to provide from any such place within the state or which the find in head, or
    - fing i requires disclusure of privileges in notes princeted matter and no exception or usavol applies, or
    - (iv) subjects a penant to motors torridon.
  - (III) It a subporter
    - (ii) requires dicelerant of a trade scoret or other confidents. (seeple), Mayor opinions, il commercial information, or
  - (ii) requires dischours of an unrestited expert's opinion or information understrong specula events of decouposes in dispute and transfering from the expert's souly made not at the request of Sty party of
  - (iii) requires a person, who is upt a party or an officer of a percy to incorporate independent of the other hand 100 miles to accord to the subposing great or madify the subposing or protects person in whose relations or instance that cannot no otherwise met without undue hards in some assures that the subposing whom the subposing substantial need for the estimator or material that cannot no otherwise met without undue hards in some assures that the person or whom the subposing a difference will be reasonably compensated. The countries presented or module to only upon specified conditions.
- (E) BUTTLS IN RESPONDING TO SUBPOENA.
  - (a) A payon responding to a subspecie to produce decoments shall produce them as they are kept in the usual course of finalness to shall produce and label them to correspond to to the reasonnes in the demand.
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- D. "Documents" shall mean all written, recorded, or graphic material, however produced or reproduced in the actual or constructive possession, custody or control of the Trusts, including documents accessible at the Trusts' request, and shall include, without limitation, the following: e-mails; the originals and all copies of all drafts of written or printed material, recorded audio or video tapes, computer data or information whether printed or recorded on disks or stored in any manner, papers, books, manuals, records, contracts, notes, memoranda (including written memoranda of telephone conversations, other conversations, discussions, agreements, acts or activities), minutes, diaries, calendars, desk pads, appointment books, notebooks, bulletins, forms, pamphlers, notices, statements, cancelled checks, checks, check stubs; correspondence, data cards, computer printouts, photographs, drawings, letters, telegrams, telexes, cables, reports, studies, interoffice communications, charts, blue prints, plans, drawings, graphs, calculations, proposals, diagrams, specifications, brochures, sketches, and accounting and financial records whether prepared by the Trusts for their own use or for transmittal, or received by the Trusts and wherever located.

Unless otherwise specified, documents referred to herein shall be those documents related to prepared, issued or which any way deal with, the documents requested in this Request, including, all portions, or pages of each document referred to and all anachments, enclosures, appendices and

supporting documentation, and including, without limitation, originals, copies (with or willout notes or changes therein), drafts, working papers, routing slips, handwritten notes and similar materials

A document is deemed in the acrual or constructive possession, custody or control of the Trusts if it is in its physical custody or if it is in the physical custody of any person and the Trusts (a) own such document in whole or in part. (b) has a right by control, contract, statute, or otherwise, to use, inspect, examine or copy such document on any terms, (c) has an understanding, expressed or implied, that they may use, inspect, examine or copy such document on any terms, or (d) has, as a practical matter, been able to use, inspect, examine or copy such document when the Debtor sees fit to do so.

- E. "Each" includes the word "every" and "every" includes the word "each." "Any" includes the word "all" and "all" includes the word "any." "And" includes the word "or" and "or" includes the word "and."
- "Prestige" means Prestige Fund A, LLC, Prestige Fund A IV, LLC, Prestige Fund A IX, LLC, Prestige Fund B, LLC, Prestige Fund B II, LLC, Prestige Fund B IV, LLC, Prestige Fund B VI, LLC, Prestige Fund B VII, LLC, Prestige Fund B B I/M I, LLC, Prestige Fund A II, LLC, Prestige Fund A VI, LLC, Prestige Fund A VI, LLC, Prestige Fund A VI, LLC, Prestige Fund A VII, LLC, Prestige Fund D IV, LLC, Prestige Fund D VI, LLC, Prestige Fund D VI, LLC, WF Velocity I, LLC, WF Velocity I, LLC, WF Velocity Fund IV, LLC, WF Velocity Fund VI, LLC, WF Velocity Fund VII, LLC, WF Velocity Fund VIII, LLC, WF Velocity Fund VIII, LLC, Prestige Investment Group, LLC, Prestige Funds Management, LLC, Prestige Funds Management, III, LLC, WF Velocity Funds Management, III, LLC, WF Velocity

- "Paramount" means Paramount Management Group, LLC. G.
- "Clorious" means GCC MSO Holdings including but not limited to the following: H. GCC NY Holdings, LLC, GCC Mt Holdings, LLC, PERE, LLC, Tycoon Holdings LLC, GCC Mt Acquisitions, LLC, Tycoon I RE, LLC, Choice Labs, LLC, Frank Managers Services, LLC, Premier Drive Tycoon 1, LLC GCC Management, LLC, Tycoon 1 operations, LLC, Lyrical LLC, GCC MA Holding, LLC, TSC Investment, LLC, TSC Holdings Group, LLC, TSC RE LLC, PSC Operations, U.C., 48 Industrial LLC, Glorious II., LLC.
- "GCC Investment Holdings" means GCC Investment Holdings LLC and any and all of its members.
- "Heller Capital Group" means any and all entities and individuals you understand L to be owned by or have an affihation with Holler Capital Group.
- "Heller Investment Holdings" means any and all entities and individuals you K. understand to be owned by or have an affiliation with Heller investment Holdings.
- L. "Project Catapult" means any and all entities and individuals you understand to have an affiliation with Project Catapult
- Fund Manager ATM Operators" means any and all entities and individuals Fund M Manager have chosen, hired, contracted or otherwise to operate Prestige ATMs it took over from Paramount including but limited to employees and contractor and any entities Fund Managers have used, contemplated to use, corresponded with or otherwise regarding operations of ATMs.
- N. "Private Investigators" means any and all entities and individuals Fund Manager, or others related to Fund Managers approval, have hired, contracted or otherwise to investigate Debtor, Paramount, Prestige, Heller Capital Group, Heller Investment Holding, GCC Investment Holdings, Glorious or Project Catapult.

- O. "Fund Managers" means William Poole, Buck Joffrey, Jerry Hostetter, Dave Zook, and any and all Fund of Fund Managers and any and all syndicators of Buck Joffrey and Dave Zook and their entities for Prestige.
  - P. "Identify" means when used in reference to:
    - A natural person -- his or her full name and present or last known address.
  - ii. A company, corporation, association: joint venture, sole proprietorship, form, partnership, or any other business or legal entity not a natural person its full name now and at the time in question, its principal place of business now and at the time in questions, date of incorporation or jurisdictional status, description or type of entity now and at the time in question, date and place of formation, current jurisdictional status, and nature of business activities in which it is engaged or was engaged at the time in question.
  - date, author, addresses, all distributes, the number of pages, its subject matter, and identification of each person you have reason to believe may have knowledge of the contents thereof, its present location, the identification of its custodian, or if any such document was, but is no longer in existence or in your possession or subject to your control, the disposition made of it and the circumstances and date of such disposition.
    - iv An oral statement or communication:
      - (i) The date and the place where uttered,
      - (ii) The place where received.
      - (iii) The substance thereof.
      - (iv) The means or medium employed for transmission thereof.

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- (v) The identification of each person to whom such statement or communication was made, each person who was present when such statement or communication was made, and each person who was present when such statement was received.
- (vi) Any other thing a description with sufficient particularity that such thing may thereafter be specified and recognized as such.
- Q. "You" refers to Jerry Hostetter, the individual to whom this Subpoena is directed. You shall also refer to any name which the party is known or has been known and each and every agent, representative or other persons acting on behalf of such party and/or any of its agents.

# SCHEDULE "A"

- Any and all Documents submitted in support of any proof(s) of claim Prestige filed in the above-captioned bankruptcy case.
- Any and all Documents referenced in or relied upon in connection with any and all
   Prestige's proof(s) of claim.
- Any and all Communications or correspondence concerning the amount, nature, or basis of Prestige's proof(s) of claim.
- 4. Any and all Documents reflecting each claim or judgment held by Prestige against the Debtor.
- Any and all Documents reflecting the Debtor's legal or equitable interest in Paramount.
- 6. Any and all Documents corroborating Prestige's Motion for Order Confirming That It is Not Stayed from Proceeding with Discovery and Civil Contempt Proceedings Pursuant to 11 U.S.C. § 362(B)(4) filed March 28, 2025, bearing ECF 158 ("Prestige's Stay Motion")
- 7 Any and all Communications or correspondence regarding Prestige's Stay Motion, including communications with the Debtor and with Debtor's counsel.
- 8. Any and all Documents evidencing Prestige domesticated any and all out-of-state judgments in the State of New Jersey.
- Any and all UCC-1 financing statements, lien filings, or other security instruments
   relating to any asserted judgment liens by Prestige against the Debtor.

- Any and all Documents showing the current balance the Debtor owes Prestige under such judgment(s), including any payment history, interest calculations, and ledger summaries.
- 11. Any and all Documents related to efforts to collect on any debts owed by the Debtor, including demand letters, notices, or legal pleadings concerning *Prestige hand &, LLC at al. v. Paramount Management Group, LLC, Case No. CI-24-06012* (the "PA Action").
- 12. Any and all Documents relating to and indicating what extent a recovery from the PA Action would impact the Debtor's estate, either directly or indirectly.
- 13. Any and all Communications with third parties—including courts, parties to the action, or opposing coursel regarding the applicability of 11 U.S.C. § 362's automatic stay on the PA Action.
- 14. Any and all Documents evidencing or referencing any after ego theory, voilpiercing allegations, or claims against the Debtor and Paramount are not distinct legal entities.
  - 15. Any and all Documents indicating Debtor's relation to Paramount.
- 16. Any and all Documents relating to and arising out of Prestige's claims that the Debtor's actions constitute fraud in the inducement and fraudulent misrepresentations.
- 17. All emails, voicemails, text, written, and verbal Communications by and amongst all Fund managers that directly or indirectly references the Debtor.
- 18. All emails, voicemails, text, written, and verbal Communication by You or to You to/from anyone and everyone that directly or indirectly references the Dobtor from January 1, 2021 through the present.
- (9. All emails, voicemails, text, written, and verbal Communications by You or to You for any person or entity that directly or indirectly references Paramount, Prestige, Heller Capital

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Group or Holler Investment Holdings or any affiliated entity with the Debtor from January 1, 2021 through the present.

- 20. All emails, voicemails, text, written, and verbal communication by You or to You for any person or entity that directly or indirectly references Glorious entities from January 1, 2021 through the present.
- 21. All emails, voicemails, text, written, and verbal communication by You or to You any person or entity that directly or indirectly references GCC investment Holdings, LLC from January 1, 2021 through the present
- 22. All emails, voicemails, text, written, and verbal communication by You or to You for any person or entity that directly or indirectly references Project Catapult, J. J.C. from January 1, 2021 through the present.
- 23. All emails, voicemails, text, written, and verbal communication by You or to You for any person or entity that directly or indirectly references Fund Manager A IM Operators from January 1, 2021 through the present
- 24 All cmails, voicemails, text, written, and verbal communication by You or to You for any person or cutity that directly or indirectly references Private Investigators from January 1, 2021 through the present
- You for any person that directly or indirectly references Barry Ryncarson, Robert Brandt, David Prill, Wes Latz, David Breschi, Allan Carr, Will Powers, Matt Eby, Jack Barry, Bret Van Gordon.

  AJ Bos, Paul Parriera from January 1, 2021 through the present.

- Any and all Documents relating to and arising out of any and all communications which reference the Debtor, Heller Capital Group. Heller Investment Holdings, Glorious, Prestige, Paramount, GCC Investment Holdings, Project Catapult from January 1, 2021 through the present.
- 27. Any and all Documents relating to and arising out of any communications with Barry Rynearson. Robert Brandt, David Prill, Wes Lutz, David Breschi, Allan Carr, Will Powers.

  Matt Eby, Jack Barry, Bret Van Gordon, AJ Bos, Paul Parriera from January 1, 2021 through the present.
- 28. Any and all Documents relating to and arising out of any communications with and amongst Fund Manager individually with each other or as a group of Fund Managers from January 1, 2021 through the present.
- 29. Any and all Documents relating to and arising out of any communications with Fund Manager ATM Operators and Private Investigators from January 1, 2021 through the present.
- 30. Any and all Documents, including bank statements, relating to and arising out of all compensation received from Prestige by You since 2020, by year, including, but not limited to expense reports, 1099s and K-1s and any form of compensation received from Prestige.
- Any and all Bank Statements, Credit Card Statements, Digital Cash Application Statements such as but not limited to ventuo, paypal, cashapp in the name of You, or any entity owned by You from January 1, 2021 through the present.
- 32. Any and all Documents relating to and arising out of any and all communications regarding Alden Place and its affiliated entities including but not limited to Cornwall Associates LP and Cornwall Associates, LLC.
- 33. All emails, voicemails, text, written, and verbal communication by You or to You or any person or entity that directly or indirectly references Alden Place and its affiliated entities

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including but not limited to Cornwall Associated LP and Cornwall Associates, LLC from January 1, 2021 through the present.

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MS&B McMANIMON - SCOTLAND - BAUMANN

75 Livingsion Avenue, Rosp and INJ 07068 (973) 622-1800

Sari B. Placona Direct Dial: (973) 721-5030 splacona@msbnj.com 35240-001

May 19, 2025

Via Regular Mail and Certified Mail RRR

William Poole 5 Whitefield Lane Lancaster, PA 17602

Re: Daryl Fred Heller

Chapter 11, Case No. 25-11354

Dear Mr. Poole:

This firm is counsel for Daryl Fred Heller, Chapter 11 debtor/debtor-in-possession and plaintiff in the above-captioned matter.

Enclosed for service upon you, please find a Subpoena in a Case Under the Bankruptcy Code Pursuant to Fed. R. Bankr. P. 2004 and D.N.J. LBR 2004-1.

Please be advised that the Subpoena requires your appearance at an examination under Rule 2004 on June 17, 2025 at 10:00 a.m. and requires you to produce documents on or before June 4, 2025 at 10:00 a.m. Please be guided accordingly.

Sincerely,

/s/ Sari B. Placona

Sari B. Placona

SBP/sll Enclosure Norm 354 Subpoons for Rule 2004 Examination (12/06).

# UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY

În rd

DARYL FRED HELLER.

Debtor.

SUBPOENA IN A CASE UNDER THE BANKRUPTCY CODE PURSUANT TO FED. R. BANKR. P. 2004 AND D.N.J.

LBR 2004-1

To: William Poole 5 Whitefield Lane Laneaster, PA 17602

Case No.

25-11354

Chapter

 $\Gamma I$ 

YOU ARREST MMANDED to appear and testify at an examination under Rule 2004. Federal Rules of Bankruptcy Procedure at the place, date, and time specified below. A copy of the court order authorizing the examination is all achest.

PLACE OF TESTIMONY

DATE AND TIME

McManimon, Scotland & Baumann, LLC 75 Livingston Avenue, Suite 201

Roscland, New Jersey 07068

June 17, 2025 at 10:00 a.m.

YOU ART COMMANDED to produce and permit repeation and copying of the following documents or objects at the place, dote, and time specified helow (list documents or objects):

See attached Schedule A.

PLACE

DATE AND TIME

McManimon, Scotland & Baumann, I LC 75 Livingston Avenue, Suite 201

Roseland, New Jorsey 07068

Attn: Sari B. Placona, Esq.

June 4, 2025 at 10:00 am

SSULM DUMCER SIGNATURE AND TICLE

/s/ Sari R. Placona.

DATE

May 19, 2025

GSUING OFFICER'S NAME ADDRESS, AND PHOND NUMBER

Sari B. Placona, Esq., counsel to Daryl Fred Heller, Debtor

McManimon, Scotland & Baumann, LLC

75 Livingston Avenue, Suite 201

Roseland, New Jersey 07068

(973) 622-1800 (Main) (973) 721-5030 (Direct) | splacona@msbnj.com

<sup>\*</sup>If the bankruplus case is pensing in a district other than the right of in which the subposensial issued, state the district under the case number.

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		PROOF OF SERVICE
SERVED	DATE	PLACE
SERVED ON (PRINT:	y <b>AM</b> IÇE	MANNEL OF SERVICE
SERVED BY (PRINT NAME)		THILE
		DECHARATION OF SERVER.
	ndennenali v ori periory a ritar	find laws of the United States of America (tin) the for going information committed in the Propini Station is the
I déclaré (d and correct,		
I declare to (and correct) Fixeguized on:		STENATURE OF SERVICE

Rule -15, Fed.R. Civ.P., Paris (c) & (d) mode applicable in cases under the Hankrupiuy Code by Bule 9016, Fed.R. Rantes P.

- (6) PROTECTION OF PERSONS SUBJECT TO SUBPOPMAS.
- A party of an attended responsible for the issuance and service of a subpoeta shall take resonable steps to evote imposing under borden to expense on a person subject to that subpoeta. The court on behalf of which the subpoeta was issued shall enforce this day and impost upon the party or another in breach of this day an appropriate sauction, which may mende, but is not broated to lost earnings and a reasonable attended a fixe.
- (2)(A) A person community of the product and point inspection and copying of designated books, papers, documents or tanglors things, an inspection of premises need not appear to person at the place of production to loss ecommended in appear for deposition, from or or the
- (B) Subject to paragraph (d)(2) of this rule, a person commanded in profession and parall inspection and suppling may, within 14 days after surprises of the subprises or helius the time specified for compliance if such time is less than 14 days after service, so we upon the party or attorney designated in the subposite original control of the designated materials must be profession to inspect out to pure to make the party so ving the subposite shall not be entitled to inspect out to be to reposit the premises except pursuant to an order for four outer by which is subposition has been made, the party serving the subposite make, your notice to the premise communical to grow a notice of the production. Such an order to compel the production. Such an order to compel production shall profess any person who is not a party to an order or a purty from significant expense resulting from the temporal and copying commanded.
  - (3)(A) On timely motion, the court by which a subpoens was issued shall quash or modify the subscens if it
    - (i) Rils (ealing reasonable time for compliance;
  - (ii) requires a postor) who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that occasions is employed or regularly transports business in person may up order to alless that is a person may up order to alless that is a person may up order to alless that is a person may up order to alless that is a person may up order to alless that is a person may up order to alless that is a person or a person may up order to alless that is a person or a p
    - (iii) requires discussive of privileged or other professed matter and no exception or waster applies, or
    - (iv) subjects a poison to undue burden.
  - (B) Ta subpoens
    - (ii) requires disclosure of a trade sevest or other confidential research, development, or commercial information of
  - (ii) requires disclosure of an inrelatived expert's opinion or inframation not describing specific events of communices in describing from the expert's study made not at the request of any party, or
  - (in) requires a parson who is not a party or an officer of a party to inconsubstantial exponent a mark than (00 miles or artend trial), the would may, to protect a person subject to a affected by the subjects, question meetily the subjects of, if the party in whose hertalf like subjects is issued shows a substantial need for the rear many or material, that connot be otherwise to a constant protect and essures that the person to whom the subjects as addressed with be reasonably countered, the count may order appearance or production only upon specifier conditions.
- (6) DITTES IN RESPONDING TO SURPOMA.
  - (1) as a source of source is the first of the state of th
  - (2) When information subject to a suppose is withheld on a Chin that it is mivileged or subject to protection as trial preparation matterials, the staim shall be made expressly and shall be supposed by a description of the matter of the decoments, communications, or intrips not produced that is sufficient to enable the standard party to enables the claim.

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## UNAVAILABILITY OF DOCUMENTS

To the extent a document is sought herein and such document was but is no longer in your possession or subject to your control, or no longer in existence, state whether it (i) is missing or lost, (ii) has been destroyed, (iii) has been transferred, voluntarily or involuntarily to others, or (iv) has been otherwise disposed of. In each instance, explain the circumstances surrounding and authorization of such disposition thereof, including the date or approximate date thereof, the contents of said document, and the person who authorized the transfer, destruction or other disposition of said document.

#### PRIVILEGE

Identify by date, author, recipient, distribution list, and subject matter, each document which is responsive to a specific document request but which you are not producing based upon the assertion of a claim of privilege, attorney's work product, or other asserted justification for non-production. With respect to each document which is not being produced based upon an assertion of privilege, specifically identify the alleged privilege asserted for each document.

#### DEFINITIONS

- A. "Communications" shall mean any written or oral transmission of fact information or opinion, including any utterance, notation or statement of any nature whatsuever and including, but not limited to, documents and correspondence as defined bergin.
- B: "Concerning" means regarding, referring to, pertaining to, relating to, or in connection with.
  - C. "Debror" means Daryl Fred Heller,
- D. "Documents" shall mean all written, recorded, or graphic material, however produced or reproduced in the actual or constructive possession, custody or control of the Trusts, including documents accessible at the Trusts' request, and shall include, without limitation, the following: e-mails; the originals and all copies of all drafts of written or primed material, recorded audio or video tapes, computer data or information whether primted or recorded on disks or stored in any manner, papers, books, manuals, records, contracts, notes, memoranda (including written memoranda of telephone conversations, other conversations, discussions, agroements, acts of activities), minutes, diaries, calendars, desk pads, appointment books, nutebooks, bulletins, forms, pamphlets, notices, statements, cancelled checks, checks, check stubs, correspondence, data cards, computer printonts, photographs, drawings, letters, telegrams, felexes, cables, reports, studies, miteroffice communications, charts, blue prints, plans, drawings, graphs, calculations, proposals, diagrams, specifications, brochures, sketches, and accounting and financial records whether prepared by the Trusts for their own use or for transmittal, or received by the Trusts and wherever located,

Unless otherwise specified, documents referred to herein shall be those documents related to prepared, issued or which any way deal with, the documents requested in this Request, including all portions, or pages of each document referred to and all attachments, enclosures, appendices and

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supporting documentation, and including, without limitation, originals, copies (with or without notes or changes therein), draffs, working papers, routing slips, handwritten notes and similar materials

A document is deemed in the actual or constructive possession, custody or control of the Trusts if it is in its physical custody or if it is in the physical custody of any person and the Trusts (a) own such document in whole or in part, (b) has a right by control, contract, statute, or otherwise; to use, inspect, examine or copy such document on any terms, (c) has an understanding, expressed or implied, that they may use, inspect, examine or copy such document on any terms, or (d) has, as a practical matter, been able to use, inspect, examine or copy such document when the Debtor sees fit to do so.

- E. "Each" includes the word "every" and "every" includes the word "each." "Any" includes the word "all" and "all" includes the word "any." "And" includes the word "or" and "or" includes the word "and."
- F. "Prestige" means Prestige Fund A, LLC, Prestige Fund A IV, LLC, Prestige Fund A IV, LLC, Prestige Fund B, LLC, Prestige Fund B II, LLC, Prestige Fund B IV, LLC, Prestige Fund B IV, LLC, Prestige Fund B VIII, LLC, Prestige Fund B VIII, LLC, Prestige Fund B IM II, LLC, Prestige Fund A II, LLC, Prestige Fund A VII, LLC, Prestige Fund A VII, LLC, Prestige Fund D III, LLC, Prestige Fund D IV, LLC, Prestige Fund D VIIIC, Prestige Fund D BIM II, LLC, WF Velocity IIIC, WF Velocity Fund IV, LLC, WF Velocity Fund VIIIC and WF Velocity Fund VIII, LLC, Prestige Investment Group, LLC, Prestige Funds Management, LLC, Prestige Funds Management, III, LLC, WF Velocity Funds Management, III, LLC, WF Velocity Funds Management, III, LLC, WF Velocity Funds Management, LLC, and any parmer, agent, officer, professional, representative, employed or other person, and any other entity acting on its behalf.

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- Faramount" means Paramount Management Group, LLC
- II. "Glorious" means GCC MSO Holdings including but not limited to the following: GCC NY Holdings, LLC, GCC MI Holdings, LLC, PERE, LLC. Tycoon Holdings LLC, GCC MI Acquisitions, LLC, Tycoon I RF: LLC, Choice Labs, LLC, Frank Managers Services, LLC, Premier Drive Tycoon I, LLC GCC Management, LLC, Tycoon I operations, LLC, Lyrical LLC, GCC MA Holding, LLC, TSC Investment, LLC, TSC Holdings Group, LLC, TSC RE LLC, TSC Operations, LLC, 48 Industrial LLC, Glorious IL, LLC.
- ). "GCC Investment Holdings" means GCC Investment Holdings LLC and any and all of its members.
- J. "Heller Capital Group" means any and all entities and individuals you understand to be owned by or have an affiliation with Heller Capital Group.
- K. "Heller Investment Holdings" means any and all entities and individuals you understand to be owned by or have an affiliation with Heller Investment Holdings.
- 1. "Project Catapult" means any and all entities and individuals you understand to have an affiliation with Project Catapult.
- M. "Fund Manager ATM Operators" means any and all entities and individuals Fund Manager have chosen, hired, contracted or otherwise to operate Prestige ATMs it took over from Paramount including but limited to employees and contractor and any entities Fund Managers have used, contemplated to use, corresponded with or otherwise regarding operation of ATMs
- N: "Private Investigators" means any and all entities and individuals Fund Manager, or others related to Fund Managers approval, have hired, contracted or otherwise to investigate Debtor, Paramount, Prestige, Heller Capital Group, Holler Investment Holding, GCC Investment Holdings, Glorious or Project Catapult

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  - P. "Identify" means when used in reference to:
    - A natural person -- his or her full name and present or last known address.
  - form, partnership, or any other business or legal entity not a natural person its full name now and at the time in question, its principal place of business now and at the time in question or jurisdictional status, description or type of entity now and at the time in question, date and place of formation, current jurisdictional status, and nature of business activities in which it is engaged or was engaged at the time in question.
  - date, author, addresses, all distributes, the number of pages, its subject matter, and identification of each person you have reason to believe may have knowledge of the coments thereof, its present location, the identification of its custodian, or if any such document was, but is no longer in existence or in your possession or subject to your control, the disposition made of it and the circumstances and date of such disposition.
    - iv. An oral statement or communication:
      - (i) The date and the place where uttered.
      - (ii) The place where received.
      - (iii) The substance thereof.
      - (iv) The means or medium employed for transmission thereof.

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- (v) The identification of each person to whom such statement or communication was made, each person who was present when such statement or communication was made, and each person who was present when such statement was received.
- (vi) Any other thing a description with sufficient particularity that such thing may thereafter be specified and recognized as such.
- Q. "You" refers to William Poole, the individual to whom this Subpoena is directed. You shall also refer to any name which the party is known or has been known and each and every agent, representative or other persons acting on behalf of such party and/or any of its agents.

# SCHEDULE "A"

- Any and all Documents submitted in support of any proof(s) of claim Prestige filed
  in the above-captioned bankruptcy case.
- Any and all Documents referenced in or relied upon in connection with any and all
   of Prestige's proof(s) of claim.
- Any and all Communications or correspondence concerning the amount, nature, or basis of Prestige's proof(s) of claim.
- Any and all Documents reflecting each claim or judgment held by Prestige against the Debtor.
- Any and all Documents reflecting the Debtor's legal or equitable interest in.

  Paramount.
- 6. Any and all Documents corroborating Prestige's Motion for Order Confirming That.

  It Is Not Stayed from Proceeding with Discovery and Civil Contempt Proceedings Pursuant to 11

  U.S.C. § 362(B)(4) filed March 28, 2025, bearing ECP 158 ("Prestige's Stay Motion").
- 7 Any and all Communications or correspondence regarding Prestige's Stay Motion, including communications with the Debtor and with Debtor's counsel.
- Any and all Documents evidencing Prestige domesticated any and all out-of-state judgments in the State of New Jersey.
- Any and all UCC-1 linancing statements, lien filings, or other security instruments relating to any asserted judgment liens by Prestige against the Debter.
- 10. Any and all Documents showing the current halance the Debter owes Prestige under such judgment(s), including any payment history, interest calculations, and ledger summaries.

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- 11. Any and all Documents related to efforts to collect on any debts owed by the Debtor, including domand letters, notices, or legal pleadings concerning *Prestice Fund A. LLC et al.* v. *Paramount Management Group, LLC*, Case No. CJ-24-06012 (the "PA Action").
- 12. Any and all Documents relating to and indicating what extent a recovery from the PA Action would impact the Debtor's estate, either directly or indirectly.
- 13. Any and all Communications with third parties—including courts, parties to the action, or opposing coursel—regarding the applicability of 11 U.S.C. § 362's automatic stay on the PA Action.
- 14. Any and all Documents evidencing or referencing any alter ego theory, veilpiercing allegations, or claims against the Debtor and Paramount are not distinct legal entities.
  - Any and all Documents indicating Debtor's relation to Paramount.
- 16. Any and all Documents relating to and arising out of Prestige's claims that the Deblor's actions constitute fraud in the inducement and fraudulent misrepresentations.
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- 18. All emails, voicemails, text, written, and verbal Communication by You or to You to/from anyone and everyone that directly or indirectly references the Debtor from January 1, 2021 through the present.
- 19. All entails, voicemails, text, written, and verbal Communications by You or to You for any person or entity that directly or indirectly references Paramount, Prestige, Heller Capital Group or Heller Investment Holdings or any affiliated entity with the Debtor from January 1 2021 through the present.

- 20. All emails, voicemails, text, written, and verbal communication by You or to You for any person or entity that directly or indirectly references Glorious ontities from January 1. 2021 through the present.
- All emails, voicemails, text, written, and verbal communication by You or to You may person or entity that directly or indirectly references GCC Investment Holdings, LLC from January 1, 2021 through the present
- 22. All emails, voicemails, text, written, and verbal communication by You or to You for any person or entity that directly references Project Cataputt, LLC from January 1, 2021 through the present.
- 23. All cmails, voicemails, text, written, and verbal communication by You or to You for any person or entity that directly or indirectly references Fund Manager ATM Operators from January 1, 2021 through the present
- 24. All emails, voicemails, lext, written, and verbal communication by You or to You for any person or entity that directly or indirectly references Private Investigators from January 1, 2021 through the present
- 25. All amails, voicemails, text, written, and verbal communication to by You or to You for any person that directly or indirectly references Barry Rynearson, Robert Brandt, David Prill, Wes Lutz, David Breschi, Allan Carr, Will Powers, Matt Eby, Jack Barry, Bret Van Gordon, AJ Bos, Paul Parriera from January 1, 2021 through the present
- 26. Any and all Documents relating to and arising out of any and all communications which reference the Debtor, Heller Capital Group, Heller Investment Holdings, Glorious, Prestige, Paramount, GCC Investment Holdings, Project Cataputt from January 1, 2021 through the present.

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- Any and all Documents relating to and arising out of any communications with Barry Rynearson, Robert Brandt, David Prill, Wes Lutz, David Breschi, Allan Carr, Will Powers, Matt Eby, Jack Barry, Bret Van Gordon, AJ Bos, Paul Parriera from January 1, 2021 through the present.
- 28. Any and all Documents relating to and arising out of any communications with and amongst Fund Manager individually with each other or as a group of Fund Managers from January 1, 2021 through the present.
- 29. Any and all Documents relating to and arising out of any communications with Fund Manager ATM Operators and Private Investigators from January 1, 2021 through the present.
- 30. Any and all Documents, including bank statements, relating to and arising out of all compensation received from Prestige by You since 2020, by year, including, but not limited to expense reports, 1099s and K-1s and any form of compensation received from Prestige.
- Any and all Bank Statements, Credit Card Statements, Digital Cash Application Statements such as but not limited to venno, paypal, cashapp in the name of You, or any entity owned by You from January 1, 2021 through the present.